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Attorney for Defendant

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 SARAH GARELICK, an individual

9 Plaintiff, Case No.: 2:14-CV-00433-JCM-VCF

10 vs.

11 ESCALLATE, LLC

12 Defendant.

13 **STIPULATION AND ORDER TO DISMISS CASE**
14 **WITH PREJUDICE**

15 ESCALLATE, LLC (“Defendant”) by and through its attorney Brian D. Shapiro, Esq., of
16 the Law Office of Brian D. Shapiro, LLC; SARAH GARELICK (“Plaintiff”) by and through
17 their attorney, Jamie S. Cogburn, Esq. of Cogburn Law Offices, Esq. (Plaintiff and Defendant
18 are hereby referred to herein as “Party” or or collectively as “Parties”) hereby agree as follows
19 (the “Stipulation”):

20 WHEREAS, on March 21, 2014, the Plaintiff filed a complaint (Docket No. 1) against
21 the Defendant alleging a variety of causes of actions, including but not limited to claims of
22 violating the Fair Debt Collection Practices Act (15 USC 1692 et seq.), common law invasion of
23 privacy and violation of Nevada’s Deceptive Trade Practices Act.

24 WHEREAS, on April 22, 2014, the Defendant filed an Answer (Docket No. 4) to the
25 Complaint.

26 WHEREAS, the Plaintiff and Defendant stipulate to dismiss this matter with prejudice.

1 WHEREAS, on July 2, 2014, the Parties filed a stipulation to dismiss the third cause of
2 action pertaining to Nevada Deceptive Practices Act (Docket No. 9).

3 WHEREAS, on July 3, 2014, the Court granted the stipulation to dismiss the third cause
4 of action (Docket No. 10).

5 WHEREAS, on August 22, 2014, the Defendant filed a Motion to Dismiss the Complaint
6 (Docket No. 12).

7 WHEREAS, on September 8, 2014, the Plaintiff filed an Opposition to the Defendant's
8 Motion to Dismiss (Docket No. 14).

9 WHEREAS, on September 15, 2014, the Defendant filed a Reply to the Plaintiff's
10 Opposition to the Defendant's Motion to Dismiss (Docket 15).

11 WHEREAS, no Trial date has been scheduled nor a request for Trial setting has been
12 made by any Party.

13 WHEREAS, the Parties have now agreed to have this entire case dismissed with
14 prejudice with both Parties bearing their own fees and costs.

15 NOW THEREFORE IT IS HEREBY AGREED.

16 1. The above recitals are incorporated within as if fully set forth set forth herein.

17 2. In consideration of the dismissal as stated herein, the Parties agree to release and
18 forever discharge and by this instrument release and forever discharge each other
19 from any and all claims asserted in the Complaint, from all debts, obligations,
20 covenants, agreements, contracts, bonds, controversies, suits, actions, causes of
21 action, judgments, damages, expenses, claim or demands, inlay or in equity, which
22 you ever had nor have or which may arise in the future, regarding any matter arising
23 on or before the date of this Stipulation. This release extends to each Party's
24 attorney, agents and assigns.

1 3. This case is hereby dismissed with prejudice with both parties bearing their own fees
2 and costs.
3 4. The undersigned have express authority of each of their respective Clients to enter
4 into this Stipulation
5

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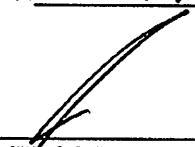
7 Dated: 9-29-14

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19 Dated: 9-29-14

20 
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27 jsc@cogburnlaw.com
28 Attorney for Plaintiff

16 ORDER

17 Based upon and pursuant to the above and foregoing Stipulation it is hereby ORDERED
18 that Stipulation is approved and the above referenced matter is hereby dismissed with prejudice,
19 each party to bear their own attorney's fees and costs.

20 **IT IS SO ORDERED** October 1, 2014.

21 
22 UNITED STATES DISTRICT
23 JUDGE

24 Submitted by:

25 
26 BRIAN D. SHAPIRO, ESQ.
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30 Attorney for Defendant